

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FORTY-FOURTH LEGISLATIVE DAY**  
**TUESDAY, FEBRUARY 23, 2016**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Brackett, absent and formally excused by the Chair; and Senators Lodge and McKenzie, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Nellie Christensen, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 22, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 147

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND  
RECOGNIZING NATIONAL WOMEN'S HISTORY MONTH.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, at the time of the American Revolution, the notion of education as a safeguard for democracy created opportunities for girls to receive a basic education; and

WHEREAS, advocates of secondary education for women faced arguments from physicians and others who claimed that females were incapable of intellectual development equal to men, and that they would be harmed by striving for it; and

WHEREAS, against social convention and often legal restraints, women have created a legacy in Idaho and in the world that demonstrates their character, courage and commitment to asserting their human dignity and equality. An early example is Emma Edwards Green, who designed the Idaho state seal and described in it the figure of a woman "signifying justice,

as noted by the scales; liberty, as denoted by the liberty cap on the end of the spear, and equality with man as denoted by her position at his side, also signifies freedom." Other examples include Elizabeth Ingram, a schoolteacher who formed the first women's suffrage organization in Idaho in 1893; Helen Louise Young, who was admitted as the first woman lawyer in Idaho; and Clara Campbell, Hattie Noble, and Mary A. Wright, who were the first women to serve as Idaho state legislators in 1898. While these women were inspirational for their achievements, they were also a rarity; and

WHEREAS, while Idaho voters made Idaho the fourth state to extend the right to vote to women, Elizabeth Cady Stanton and Susan B. Anthony were campaigning on the national front for women's suffrage in 1896, and similar struggles were taking place around the world; and

WHEREAS, on March 19, 1911, the first International Women's Day was observed in Austria, Denmark, Germany and Switzerland, with both men and women attending rallies concerning a woman's right to work under decent labor conditions, to vote, to be educated, to hold public office and to hold other rights denied to women; and

WHEREAS, following 1911, International Women's Day has been observed each year on March 8th and is a platform for celebrating women's progress and for bringing attention to gaps in gender equality where they still exist; and

WHEREAS, in 1981, Congress passed a resolution making Women's History Week a national observance, extending it in 1987 to Women's History Month for the entire month of March each year; and

WHEREAS, the women of Idaho of every race, class and ethnic background have made historic contributions to the growth and strength of our state in countless recorded and unrecorded ways; and

WHEREAS, the women of Idaho have played and continue to play a critical economic, cultural, and social role in every sphere of the life of our state by constituting a significant portion of the labor force working inside and outside of the home, and these contributions have been historically overlooked and undervalued in the teaching of history; and

WHEREAS, women constitute 52% of Idaho's population and have proven their skill in holding elected office, serving on boards or commissions and in leadership positions in both private and public sectors. We recognize that the state and her citizens are best served when women participate in the public arena and in leadership positions to the fullest extent of their capabilities.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that March 2016 is recognized as Women's History Month, and the citizens of Idaho are invited and encouraged to learn about the roles that Idaho women have played throughout the history of our nation and state and to support and look forward to women's accomplishments in the future.

SCR 147 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 22, 2016

The JUDICIARY AND RULES Committee reports that Enrolled SCR 132 was delivered to the Office of the Secretary of State at 11:35 a.m., February 22, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 22, 2016

The STATE AFFAIRS Committee reports out [HCR 30](#) and [S 1212](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[HCR 30](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1212](#) was filed for second reading.

February 22, 2016

The JUDICIARY AND RULES Committee reports out [S 1253](#), [S 1276](#), and [S 1277](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1253](#), [S 1276](#), and [S 1277](#) were filed for second reading.

February 22, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), and [S 1344](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), and [S 1344](#) were filed for second reading.

February 22, 2016

The HEALTH AND WELFARE Committee reports out [S 1295](#) and [S 1296](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1295](#) and [S 1296](#) were filed for second reading.

February 22, 2016

The EDUCATION Committee reports out [S 1320](#), [S 1333](#), and [S 1334](#) with the recommendation that they do pass.

MORTIMER, Chairman

[S 1320](#), [S 1333](#), and [S 1334](#) were filed for second reading.

February 22, 2016

The EDUCATION Committee reports out [H 379](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 379](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

## Messages from the House

February 22, 2016

Dear Mr. President:

I transmit herewith [H 476](#), [H 455](#), [H 456](#), and [H 471](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 476](#), [H 455](#), [H 456](#), and [H 471](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

## Motions and Resolutions

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Chris Charles Beck was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Lacey, the Gubernatorial reappointment of Chris Charles Beck as a member of the Oil and Gas Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

## Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

### S 1350

#### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO THE IDAHO LIMITED ARTICLE V CONVENTION ACT; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 16, TITLE 34, IDAHO CODE, TO PROVIDE THE IDAHO LIMITED ARTICLE V CONVENTION ACT, TO DEFINE TERMS, TO PROVIDE FOR INSTRUCTION TO DELEGATES, TO PROVIDE LIMITATIONS ON THE AUTHORITY OF DELEGATES, TO PROVIDE DUTIES OF THE SECRETARY OF STATE AND TO PROVIDE A CITATION.

### S 1351

#### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO PRISONERS; AMENDING SECTION 20-617, IDAHO CODE, TO PROVIDE THAT CERTAIN CONFINED PERSONS MAY BE REQUIRED TO PERFORM LABOR ON COMMUNITY SERVICE PROJECTS.

### S 1352

#### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO GUARDIANS OF MINORS; AMENDING SECTION 15-5-210, IDAHO CODE, TO PROVIDE THAT A GUARDIAN'S AUTHORITY AND RESPONSIBILITY SHALL TERMINATE UPON TERMINATION OF THE GUARDIANSHIP AND TO REVISE A PROVISION REGARDING THE RESIGNATION OF A GUARDIAN; AND AMENDING SECTION 15-5-212, IDAHO CODE, TO PROVIDE FOR PROCEEDINGS FOR THE MODIFICATION

# OR TERMINATION OF A GUARDIANSHIP AND TO MAKE TECHNICAL CORRECTIONS.

[S 1350](#), [S 1351](#), and [S 1352](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 476](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 455](#) and [H 456](#), by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 471](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

## Second Reading of Bills

[S 1237](#), [S 1238](#), [S 1239](#), [S 1339](#), and [S 1340](#), by Resources and Environment Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

## Third Reading of Bills

On request by Senator Lakey, granted by unanimous consent, [S 1257](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1224](#), having been held, having previously been read the third time at length and debate having previously been opened, was before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and reopened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Brackett, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1224](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1250](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Brackett, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1250](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1251](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Brackett, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1251](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1283](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1283](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1221](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1221](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1286](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1286](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1287](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Brackett, Buckner-Webb, Davis, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 25.

NAYS—Bayer, Burgoyne, Den Hartog, Johnson, Jordan, Nonini, Nuxoll, Rice, Souza, Vick. Total - 10.

Total - 35.

Whereupon the President Pro Tempore declared [S 1287](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1279](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Schmidt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1279](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1290](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Bair. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1290](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 362](#), [S 1285](#), [S 1280](#), [S 1297](#), [S 1312](#), and [S 1291](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO H 362

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 22 through 27, and insert:

"(12) "Person" means ~~every~~ any individual, ~~partnership, corporation, organization, or association holding a retail liquor license~~ business corporation, nonprofit corporation, benefit corporation as defined in section 30-2002(1), Idaho Code, partnership, limited partnership, limited liability company, general cooperative association, limited cooperative association, estate, unincorporated nonprofit association, statutory trust, business trust, common-law business trust, estate trust, association, joint venture, public corporation, government or governmental subdivision, agency or instrumentality, any entity defined in section 30-21-102, Idaho Code, or any other commercial entity, whether conducting the business singularly or collectively."

#### SENATE AMENDMENT TO S 1285

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 20, delete "contingent" and insert: "restricted"; in line 21, delete "contingent on the" and insert: "restricted to those licensees"; in line 22, delete "licensee"; also in line 22, following "state" insert: "and teaching upper division engineering courses"; and in line 24, following "rule." insert: "As used in this section, "restricted license" means a license to teach college or university upper division courses with an earned doctorate but without passing a technical examination."

#### CORRECTION TO TITLE

On page 1, in line 4, delete "AND" and insert: ","; in line 5, delete "CONTINGENT" and insert: "RESTRICTED"; and in line 6, following "CONDITIONS" insert: "AND TO DEFINE A TERM".

#### SENATE AMENDMENT TO S 1280

##### AMENDMENT TO SECTION 1

On page 4 of the printed bill, delete lines 6 through 11, and insert:

"(3) Notwithstanding the provisions of subsections (1) and (2) of this section, the following students shall be considered nonresidents for tuition purposes:

(a) A student attending an Idaho public institution of higher education with financial assistance provided by another country or governmental unit or agency thereof. Such nonresidency shall continue for twelve (12) months

after the completion of the last semester for which such assistance was provided.

(b) A student who is not a United States citizen, unless lawfully present in the United States."

#### SENATE AMENDMENT TO S 1297

##### AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 47, insert:

"SECTION 3. That Section 34-404, Idaho Code, be, and the same is hereby amended to read as follows:

34-404. REGISTRATION OF ELECTORS. (1) All electors must register before being able to vote at any primary, general, special, school or any other election governed by the provisions of title 34, Idaho Code. Registration of a qualified person occurs when a legible, accurate and complete registration ~~card~~ application is received in the office of the county clerk or is received at the polls pursuant to section 34-408A, Idaho Code.

(2) Each elector may select on the registration ~~card~~ application an affiliation with a political party qualified to participate in elections pursuant to section 34-501, Idaho Code, or may select to be designated as "unaffiliated." The county clerk shall record the party affiliation or "unaffiliated" designation so selected as part of the elector's registration record. If an elector shall fail or refuse to make such a selection, the county clerk shall enter on the registration records that such elector is "unaffiliated."

(3) In order to provide an elector with the appropriate primary election ballot, pursuant to section 34-904A, Idaho Code, the poll book for primary elections shall include the party affiliation or designation as "unaffiliated" for each elector so registered. An "unaffiliated" elector shall declare to the poll worker which primary election ballot the elector chooses to vote in, pursuant to section 34-904A, Idaho Code, and the poll worker or other authorized election personnel shall record such declaration in the poll book. The poll book shall contain checkoff boxes to allow the poll worker or other authorized election personnel to record such "unaffiliated" elector's selection.

(4) In order to provide electors who are already registered to vote, and who remain registered electors, with an opportunity to select a party affiliation or to select their status as "unaffiliated," the poll book for the 2012 primary election shall include checkoff boxes by which the poll worker or other appropriate election personnel shall record such elector's choice of party affiliation or choice to be designated as "unaffiliated." After the 2012 primary election, the county clerk shall record the party affiliation or "unaffiliated" designation so selected in the poll book as part of such an elector's record within the voter registration system as provided for in section 34-437A, Idaho Code.

(5) After the 2012 primary election, electors who remain registered voters and who did not vote in the 2012 primary election or who have not selected party affiliation or who have not selected to be designated as "unaffiliated," shall be designated as "unaffiliated" and the county clerk shall record that designation for each such elector within the voter registration system as provided for in section 34-437A, Idaho Code.

SECTION 4. That Section 34-408, Idaho Code, be, and the same is hereby amended to read as follows:

34-408. CLOSING OF REGISTER – TIME LIMIT. (1) No elector may register in the office of the county clerk within twenty-four (24) days preceding any election held throughout the county in which he resides for the purpose of

voting at such election; provided however, a legible, accurate and complete registration ~~card~~ application received in the office of the county clerk during the twenty-four (24) day period preceding an election shall be accepted and held by the county clerk until the day following the election when registration reopens, at which time the registration shall become effective. This deadline shall also apply to any registrars the county clerk may have appointed.

(2) Any elector who will complete his residence requirement or attain the requisite voting age during the period when the register of electors is closed may register prior to the closing of the register.

(3) Notwithstanding subsection (1) of this section, an individual who is eligible to vote may also register, upon providing proof of residence, at the "absent electors' polling place" provided in section 34-1006, Idaho Code.

SECTION 5. That Section 34-408A, Idaho Code, be, and the same is hereby amended to read as follows:

34-408A. ELECTION DAY REGISTRATION. An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration ~~card~~ application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) Showing an Idaho driver's license or Idaho identification ~~card~~ application issued through the department of transportation; or

(2) Showing any document which contains a valid address in the precinct together with a picture identification ~~card~~ application; or

(3) Showing a current valid student photo identification ~~card~~ application from a postsecondary educational institution in Idaho accompanied with a current student fee statement that contains the student's valid address in the precinct.

Election day registration provided in this section shall apply to all elections conducted under title 34, Idaho Code, and to school district and municipal elections.

An individual who is eligible to vote may also register, upon providing proof of residence, at the "absent electors' polling place" provided in section 34-1006, Idaho Code.

SECTION 6. That Section 34-416, Idaho Code, be, and the same is hereby amended to read as follows:

34-416. REGISTRATION CARDS APPLICATIONS. (1) The registration ~~card~~ application shall contain the following warning:

WARNING: Any elector who supplies any information, knowing it to be false, is guilty of perjury.

(2) The elector shall read the warning set forth in subsection (1) of this section and shall sign his name in an appropriate place on the completed ~~card~~ application.

(3) The registration ~~card~~ application completed and signed as provided in this section constitutes the official registration ~~card~~ application of the elector. The county clerk shall keep and file all such ~~cards~~ applications in a convenient manner in his office. Such ~~cards~~ applications constitute the register of electors and shall be considered confidential and unavailable for public inspection and copying except as provided by subsection (25) of section 74-106, Idaho Code.



SECTION 7. That Section 34-419, Idaho Code, be, and the same is hereby amended to read as follows:

34-419. SUSPENSION OF REGISTRATION OF ELECTORS WHO APPEAR NOT TO BE CITIZENS OF THE UNITED STATES. The county clerk shall remove from the register of electors the official registration ~~and~~ application of any elector who appears by the registration records in the office of the county clerk not to be a citizen of the United States and shall suspend the registration of such elector. The county clerk shall mail a written notice of such removal and suspension to the elector at his residence address indicated on the ~~and~~ application. If the elector proves to the county clerk that he is in fact a citizen of the United States, his ~~and~~ application shall be replaced in the register and his registration reinstated.

SECTION 8. That Section 34-420, Idaho Code, be, and the same is hereby amended to read as follows:

34-420. NO ELECTOR'S REGISTRATION SHALL BE CANCELLED WHILE HE IS SERVING IN THE ARMED FORCES – EXCEPTION. (1) Except as provided in section 34-435, Idaho Code, no elector's registration shall be cancelled, nor shall he be deprived of his right to vote at any election by reason of the removal of his official registration ~~and~~ application from the register of electors, during any period that he is serving in the armed forces of the United States or of any ally of the United States.

(2) In order to facilitate the implementation of the provisions of subsection (1) of this section, the one hundred twenty (120) day limitation in section 34-435, Idaho Code, shall be waived for the year 1987, in order to allow military registrations to be cancelled by the county clerk in calendar year 1987.

SECTION 9. That Section 74-106, Idaho Code, be, and the same is hereby amended to read as follows:

74-106. RECORDS EXEMPT FROM DISCLOSURE – PERSONNEL RECORDS, PERSONAL INFORMATION, HEALTH RECORDS, PROFESSIONAL DISCIPLINE. The following records are exempt from disclosure:

(1) Except as provided in this subsection, all personnel records of a current or former public official other than the public official's public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace and employing agency. All other personnel information relating to a public employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence and performance evaluations, shall not be disclosed to the public without the employee's or applicant's written consent. Names of applicants to classified or merit system positions shall not be disclosed to the public without the applicant's written consent. Disclosure of names as part of a background check is permitted. Names of the five (5) final applicants to all other positions shall be available to the public. If such group is less than five (5) finalists, then the entire list of applicants shall be available to the public. A public official or authorized representative may inspect and copy his personnel records, except for material used to screen and test for employment.

(2) Retired employees' and retired public officials' home addresses, home telephone numbers and other financial and nonfinancial membership records; active and inactive member

financial and membership records and mortgage portfolio loan documents maintained by the public employee retirement system. Financial statements prepared by retirement system staff, funding agents and custodians concerning the investment of assets of the public employee retirement system of Idaho are not considered confidential under this chapter.

(3) Information and records submitted to the Idaho state lottery for the performance of background investigations of employees, lottery retailers and major procurement contractors; audit records of lottery retailers, vendors and major procurement contractors submitted to or performed by the Idaho state lottery; validation and security tests of the state lottery for lottery games; business records and information submitted pursuant to sections 67-7412(8) and (9) and 67-7421(8) and (9), Idaho Code, and such documents and information obtained and held for the purposes of lottery security and investigative action as determined by lottery rules unless the public interest in disclosure substantially outweighs the private need for protection from public disclosure.

(4) Records of a personal nature as follows:

(a) Records of personal debt filed with a public agency or independent public body corporate and politic pursuant to law;

(b) Personal bank records compiled by a public depositor for the purpose of public funds transactions conducted pursuant to law;

(c) Records of ownership of financial obligations and instruments of a public agency or independent public body corporate and politic, such as bonds, compiled by the public agency or independent public body corporate and politic pursuant to law;

(d) Records, with regard to the ownership of, or security interests in, registered public obligations;

(e) Vital statistics records; and

(f) Military records as described in and pursuant to section 65-301, Idaho Code.

(5) Information in an income or other tax return measured by items of income or sales, which is gathered by a public agency for the purpose of administering the tax, except such information to the extent disclosed in a written decision of the tax commission pursuant to a taxpayer protest of a deficiency determination by the tax commission, under the provisions of section 63-3045B, Idaho Code.

(6) Records of a personal nature related directly or indirectly to the application for and provision of statutory services rendered to persons applying for public care for people who are elderly, indigent or have mental or physical disabilities, or participation in an environmental or a public health study, provided the provisions of this subsection making records exempt from disclosure shall not apply to the extent that such records or information contained in those records are necessary for a background check on an individual that is required by federal law regulating the sale of firearms, guns or ammunition.

(7) Employment security information, except that a person may agree, through written, informed consent, to waive the exemption so that a third party may obtain information pertaining to the person, unless access to the information by the person is restricted by subsection (3)(a), (3)(b) or (3)(d) of section 74-113, Idaho Code. Notwithstanding the provisions of section 74-113, Idaho Code, a person may not review identifying information concerning an informant who reported to the department of labor a suspected violation by the person of the employment security law, chapter 13, title 72, Idaho Code, under an assurance of confidentiality. As used in this section and in chapter 13, title 72, Idaho Code, "employment security information" means any information descriptive of an identifiable person or persons that is received by, recorded by, prepared by, furnished to or collected

by the department of labor or the industrial commission in the administration of the employment security law.

(8) Any personal records, other than names, business addresses and business phone numbers, such as parentage, race, religion, sex, height, weight, tax identification and social security numbers, financial worth or medical condition submitted to any public agency or independent public body corporate and politic pursuant to a statutory requirement for licensing, certification, permit or bonding.

(9) Unless otherwise provided by agency rule, information obtained as part of an inquiry into a person's fitness to be granted or retain a license, certificate, permit, privilege, commission or position, private association peer review committee records authorized in title 54, Idaho Code. Any agency which has records exempt from disclosure under the provisions of this subsection shall annually make available a statistical summary of the number and types of matters considered and their disposition.

(10) The records, findings, determinations and decisions of any prelitigation screening panel formed under chapters 10 and 23, title 6, Idaho Code.

(11) Complaints received by the board of medicine and investigations and informal proceedings, including informal proceedings of any committee of the board of medicine, pursuant to chapter 18, title 54, Idaho Code, and rules adopted thereunder.

(12) Records of the department of health and welfare or a public health district that identify a person infected with a reportable disease.

(13) Records of hospital care, medical records, including prescriptions, drug orders, records or any other prescription information that specifically identifies an individual patient, prescription records maintained by the board of pharmacy under sections 37-2726 and 37-2730A, Idaho Code, records of psychiatric care or treatment and professional counseling records relating to an individual's condition, diagnosis, care or treatment, provided the provisions of this subsection making records exempt from disclosure shall not apply to the extent that such records or information contained in those records are necessary for a background check on an individual that is required by federal law regulating the sale of firearms, guns or ammunition.

(14) Information collected pursuant to the directory of new hires act, chapter 16, title 72, Idaho Code.

(15) Personal information contained in motor vehicle and driver records that is exempt from disclosure under the provisions of chapter 2, title 49, Idaho Code.

(16) Records of the financial status of prisoners pursuant to subsection (2) of section 20-607, Idaho Code.

(17) Records of the Idaho state police or department of correction received or maintained pursuant to section 19-5514, Idaho Code, relating to DNA databases and databanks.

(18) Records of the department of health and welfare relating to a survey, resurvey or complaint investigation of a licensed nursing facility shall be exempt from disclosure. Such records shall, however, be subject to disclosure as public records as soon as the facility in question has received the report, and no later than the fourteenth day following the date that department of health and welfare representatives officially exit the facility pursuant to federal regulations. Provided however, that for purposes of confidentiality, no record shall be released under this section which specifically identifies any nursing facility resident.

(19) Records and information contained in the registry of immunizations against childhood diseases maintained in the department of health and welfare, including information disseminated to others from the registry by the department of health and welfare.

(20) Records of the Idaho housing and finance association (IHFA) relating to the following:

(a) Records containing personal financial, family, health or similar personal information submitted to or otherwise obtained by the IHFA;

(b) Records submitted to or otherwise obtained by the IHFA with regard to obtaining and servicing mortgage loans and all records relating to the review, approval or rejection by the IHFA of said loans;

(c) Mortgage portfolio loan documents;

(d) Records of a current or former employee other than the employee's duration of employment with the association, position held and location of employment. This exemption from disclosure does not include the contracts of employment or any remuneration, including reimbursement of expenses, of the executive director, executive officers or commissioners of the association. All other personnel information relating to an association employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence, retirement plan information and performance evaluations, shall not be disclosed to the public without the employee's or applicant's written consent. An employee or authorized representative may inspect and copy that employee's personnel records, except for material used to screen and test for employment or material not subject to disclosure elsewhere in the Idaho public records act.

(21) Records of the department of health and welfare related to child support services in cases in which there is reasonable evidence of domestic violence, as defined in chapter 63, title 39, Idaho Code, that can be used to locate any individuals in the child support case except in response to a court order.

(22) Records of the Idaho state bar lawyer assistance program pursuant to chapter 49, title 54, Idaho Code, unless a participant in the program authorizes the release pursuant to subsection (4) of section 54-4901, Idaho Code.

(23) Records and information contained in the trauma registry created by chapter 20, title 57, Idaho Code, together with any reports, analyses and compilations created from such information and records.

(24) Records contained in the court files, or other records prepared as part of proceedings for judicial authorization of sterilization procedures pursuant to chapter 39, title 39, Idaho Code.

(25) The physical voter registration ~~card~~ application on file in the county clerk's office; however, a redacted copy of said ~~card~~ application shall be made available consistent with the requirements of this section. Information from the voter registration ~~card~~ application maintained in the statewide voter registration database, including age, will be made available except for the voter's driver's license number, date of birth and, upon a showing that the voter comes within the provisions of subsection (30) of this section or upon showing of good cause by the voter to the county clerk in consultation with the county prosecuting attorney, the physical residence address of the voter. For the purposes of this subsection good cause shall include the protection of life and property and protection of victims of domestic violence and similar crimes.

(26) File numbers, passwords and information in the files of the health care directive registry maintained by the secretary of state under section 39-4515, Idaho Code, are confidential and shall not be disclosed to any person other than to the person who executed the health care directive or the revocation thereof and that person's legal representatives, to the person who registered the health care directive or revocation thereof, and to physicians, hospitals, medical personnel, nursing homes, and other persons

who have been granted file number and password access to the documents within that specific file.

(27) Records in an address confidentiality program participant's file as provided for in chapter 57, title 19, Idaho Code, other than the address designated by the secretary of state, except under the following circumstances:

- (a) If requested by a law enforcement agency, to the law enforcement agency; or
- (b) If directed by a court order, to a person identified in the order.

(28) Except as otherwise provided by law relating to the release of information to a governmental entity or law enforcement agency, any personal information including, but not limited to, names, personal and business addresses and phone numbers, sex, height, weight, date of birth, social security and driver's license numbers, or any other identifying numbers and/or information related to any Idaho fish and game licenses, permits and tags unless written consent is obtained from the affected person.

(29) Documents and records related to continuing education and recordkeeping violations that are maintained by the Idaho board of veterinary medicine under the provisions of section 54-2118(1)(b), Idaho Code, provided the requirements set forth therein are met.

(30) The Idaho residential street address and telephone number of an eligible law enforcement officer and such officer's residing household member(s) as provided for in chapter 58, title 19, Idaho Code, except under the following circumstances:

- (a) If directed by a court order, to a person identified in the court order;
- (b) If requested by a law enforcement agency, to the law enforcement agency;
- (c) If requested by a financial institution or title company for business purposes, to the requesting financial institution or title company; or
- (d) If the law enforcement officer provides written permission for disclosure of such information.

(31) All information exchanged between the Idaho transportation department and insurance companies, any database created, all information contained in the verification system and all reports, responses or other information generated for the purposes of the verification system, pursuant to section 49-1234, Idaho Code.

(32) Nothing in this section shall prohibit the release of information to the state controller as the state social security administrator as provided in section 59-1101A, Idaho Code.

(33) Personal information including, but not limited to, property values, personal and business addresses, phone numbers, dates of birth, social security and driver's license numbers or any other identifying numbers or information maintained by the administrator of the unclaimed property law set forth in chapter 5, title 14, Idaho Code. Nothing in this subsection shall prohibit the release of names, last known city of residence, property value ranges and general property information by the administrator for the purpose of reuniting unclaimed property with its owner."

On page 3, in line 1, delete "3" and insert: "10".

#### CORRECTION TO TITLE

On page 1, delete line 6, and insert: "FICE OF THE SECRETARY OF STATE; AMENDING SECTION 34-404, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-408, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-408A, IDAHO CODE, TO PROVIDE REFERENCE TO

REGISTRATION APPLICATIONS; AMENDING SECTION 34-416, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-419, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AMENDING SECTION 34-420, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AND AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE REFERENCE TO REGISTRATION APPLICATIONS; AND DECLARING AN EMERGENCY."

#### SENATE AMENDMENT TO S 1312

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 21, delete "or passenger"; in line 22, delete "or passenger"; also in line 22, delete "being" and insert: "having"; and in line 24, delete "section" and insert: "subsection".

#### SENATE AMENDMENT TO S 1291

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 28 through 31, and insert:

"(c) "Eligible institution" shall be defined in the same manner as provided in section 33-4303(2)(b), Idaho Code."; in line 37, delete "and"; in line 40, delete "." and insert: "; and"; and after line 40, insert:

"(v) Is pursuing a clearly identified career path."

The Committee also has [S 1256](#) and [S 1260](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Lakey, seconded by Senator Burgoyne, the report was adopted by voice vote.

[H 362](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[S 1285](#), as amended, [S 1280](#), as amended, [S 1297](#), as amended, [S 1312](#), as amended, and [S 1291](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Lakey, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

#### Reports of Standing Committees

February 23, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 362](#), [S 1285](#), [S 1280](#), [S 1297](#), [S 1312](#), and [S 1291](#) have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 23, 2016

The JUDICIARY AND RULES Committee reports that [S 1285](#), as amended, [S 1280](#), as amended, [S 1297](#), as amended, [S 1312](#), as amended, and [S 1291](#), as amended, have been correctly engrossed.

LODGE, Chairman



[S 1285](#), as amended, [S 1280](#), as amended, [S 1297](#), as amended, [S 1312](#), as amended, and [S 1291](#), as amended, were filed for first reading.

On request by Senator Lakey, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

[H 362](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1285](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[S 1280](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1297](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1312](#), as amended, by Transportation Committee, was read the first time at length and filed for second reading.

[S 1291](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

On request by Senator McKenzie, granted by unanimous consent, [S 1297](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Lakey, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

**Petitions, Resolutions, and Memorials**

On motion by Senator Lakey, seconded by Senator Burgoyne, by voice vote the Senate recessed at 12:20 p.m. until the hour of 4:30 p.m. of this day.

**RECESS  
AFTERNOON SESSION**

The Senate reconvened at 4:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Anthon and Lakey, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

February 23, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 377](#), [S 1288](#), [S 1345](#), and [S 1346](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 377](#), [S 1288](#), [S 1345](#), and [S 1346](#) were filed for second reading.

February 23, 2016

The EDUCATION Committee reports out [H 452](#) and [S 1336](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 452](#) and [S 1336](#) were filed for second reading.

February 23, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 474](#) and [S 1325](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 474](#) and [S 1325](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1353  
BY FINANCE COMMITTEE  
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR ATTORNEY'S FEES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR INFORMATION TECHNOLOGY COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE PRISONS ADMINISTRATION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR TRAINING COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE PRISONS ADMINISTRATION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR TRAINING COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE IDAHO STATE CORRECTIONAL CENTER FOR FISCAL YEAR 2016 TO PROVIDE FOR FOOD SERVICE DELIVERY; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE POCATELLO WOMEN'S CORRECTIONAL CENTER FOR FISCAL YEAR 2016 TO PROVIDE FOR RELIGIOUS ACTIVITIES CONTRACT COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY SUPERVISION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR ADDITIONAL PERSONNEL COSTS AND OPERATING EXPENDITURES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY SUPERVISION PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR PROBATION AND PAROLE OFFICERS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY WORK CENTERS PROGRAM FOR FISCAL YEAR 2016 TO PROVIDE FOR SEWER REPAIRS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE IDAHO STATE CORRECTIONAL INSTITUTION FOR FISCAL

YEAR 2016 DUE TO CLOSURE OF A UNIT; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE COUNTY AND OUT-OF-STATE PLACEMENT PROGRAM FOR FISCAL YEAR 2016 DUE TO CONTRACT SAVINGS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE CORRECTIONAL ALTERNATIVE PLACEMENT PROGRAM FOR FISCAL YEAR 2016 DUE TO CONTRACT SAVINGS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE COMMUNITY SUPERVISION PROGRAM FOR FISCAL YEAR 2016 DUE TO SAVINGS IN TRAINING COSTS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE MEDICAL SERVICES PROGRAM FOR FISCAL YEAR 2016 DUE TO CONTRACT SAVINGS; AND DECLARING AN EMERGENCY.

[S 1353](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [S 1235](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1218](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1218](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1298](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1298](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1255](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1255](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1266](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Thayn, Ward-Engelking, Winder. Total - 26.

NAYS—Bayer, Den Hartog, Hagedorn, Nonini, Nuxoll, Rice, Souza, Vick. Total - 8.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1266](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1267](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1267](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1268](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jordan arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Ward-Engelking, Winder. Total - 30.

NAYS—Lakey, Nuxoll, Thayn, Vick. Total - 4.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1268](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1294](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Thayn, Ward-Engelking, Winder. Total - 29.

NAYS—Keough, Nuxoll, Souza, Stennett, Vick. Total - 5.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1294](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1264](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Guthrie, Hagedorn, Harris, Heider, Hill, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Patrick, Thayn, Ward-Engelking, Winder. Total - 17.

NAYS—Bair, Buckner-Webb, Burgoyne, Davis, Den Hartog, Johnson, Jordan, Lee, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Siddoway, Souza, Stennett, Vick. Total - 17.

Absent and excused—Anthon. Total - 1.

Total - 35.

A tie vote having resulted in the roll call, the President voted NAY and declared that [S 1264](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1314](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Anthon. Total - 1.

Total - 35.

Whereupon the President declared [S 1314](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6 p.m. until the hour of 10 a.m., Wednesday, February 24, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary